

STATE OF MCHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES

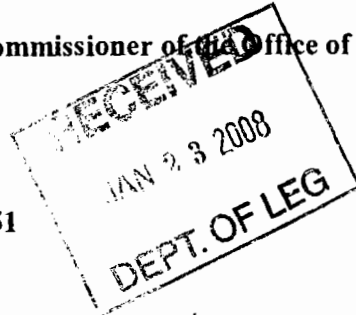
Before the Commissioner of the Office of Financial and Insurance Services

In the matter of:

Candida Beougher
System ID No. 0278251

Respondent

Enforcement Case No. 07-5448



Issued and entered
on 28 January 2008
Frances K. Wallace
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

A. FINDINGS OF FACT AND CONCLUSIONS OF LAW

It is alleged that the following statements are true and correct:

1. At all pertinent times, Candida Beougher, ("Respondent") was a licensed resident insurance producer authorized to transact the business of insurance in this state.
2. As a licensed insurance producer, Respondent knew or had reason to that Section 1239(1) of the Michigan Insurance Code ("Code") allows the Commissioner to place on probation, suspend, or revoke an insurance producer's license or levy a civil fine under Section 1244 for improperly withholding, misappropriating, or converting any money or property received in the course of doing insurance business.
3. As a licensed insurance producer, Respondent further knew or had reason to that Section 1239(1) of the Code allows the Commissioner to place on probation, suspend, or revoke an insurance producer's license or levy a civil fine under Section 1244 for forging a policyholder's name on the drafts, in the course of doing insurance business.
4. As a licensed insurance producer, Respondent further knew or had reason to that Section 1239(1) of the Code allows the Commissioner to place on probation, suspend, or revoke an insurance producer's license or levy a civil fine under Section 1244 for using fraudulent, coercive, or dishonest practices or demonstrating incompetence,

untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

5. As shown below the Respondent has violated Section 1239(1) of the Code and is subject to licensing sanctions and/or a civil fine under Section 1244 of the Code.

COUNT I

6. The Respondent on seven (7) separate occasions issued drafts for [REDACTED] State Farm Insurance Companies ("State Farm") has alleged the Respondent forged the signature of [REDACTED] on these drafts.
7. On or about September 30, 2005, the Respondent issued a State Farm draft #104091477F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
8. On or about September 30, 2005, the Respondent issued a State Farm draft #104091478F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
9. On or about October 6, 2005, the Respondent issued a State Farm draft #104091483F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
10. On or about October 14, 2005, the Respondent issued a State Farm draft #104091487F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
11. On or about October 27, 2005, the Respondent issued a State Farm draft #104091493F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
12. On or about October 27, 2005, the Respondent issued a State Farm draft #104091494F for [REDACTED] in the amount of \$85.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
13. On or about November 9, 2005, the Respondent issued a State Farm draft #104091500F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
14. Respondent's actions listed above show her improperly withholding, misappropriating, or converting money or property received in the course of doing insurance business, which is a violation of Section 1239(1)(d) of the Code.

15. By converting the money received in the course of doing insurance business for her own use, the Respondent engaged in fraudulent, coercive, or dishonest practices and demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, which is a violation of Section 1239(1)(h) of the Code.
16. By converting the money received in the course of doing insurance business for her own use and by forging a policyholder's name on a document related to an insurance transaction the drafts, Respondent has violated Section 1239(1)(j) of the Code.

COUNT II

17. The Respondent on four (4) separate occasions issued drafts for [REDACTED]. State Farm has alleged the Respondent forged the signature of [REDACTED] on these drafts.
18. On or about July 15, 2005, the Respondent issued a State Farm draft #104091455F for [REDACTED] on in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
19. On or about September 16, 2005, the Respondent issued a State Farm draft #104091473F for [REDACTED] in the amount of \$40.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
20. On or about September 16, 2005, the Respondent issued a State Farm draft #104091472F for [REDACTED] in the amount of \$50.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
21. On or about September 29, 2005, the Respondent issued a State Farm draft #104091476F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
22. Respondent's actions listed above show her improperly withholding, misappropriating, or converting money or property received in the course of doing insurance business, which is a violation of Section 1239(1)(d) of the Code.
23. By converting the money received in the course of doing insurance business for her own use, the Respondent engaged in fraudulent, coercive, or dishonest practices and demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, which is a violation of Section 1239(1)(h) of the Code.

24. By converting the money received in the course of doing insurance business for her own use and by forging a policyholder's name on a document related to an insurance transaction the drafts, Respondent has violated Section 1239(1)(j) of the Code.

COUNT III

25. The Respondent on five (5) separate occasions issued drafts for [REDACTED] State Farm has alleged the Respondent forged the signature of the named insured's on the following drafts.
26. On or about September 14, 2005, the Respondent issued a State Farm draft #104091486F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
27. On or about November 25, 2005, the Respondent issued a State Farm draft #104091703F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
28. On or about November 25, 2005, the Respondent issued a State Farm draft #104091704F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
29. On or about October 17, 2005, the Respondent issued a State Farm draft #104091490F for [REDACTED] in the amount of \$65.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
30. On or about October 17, 2005, the Respondent issued a State Farm draft #104091489F for [REDACTED] in the amount of \$90.00. The draft is purported to be endorsed by [REDACTED] and the Respondent, and the draft was negotiated through Chemical Bank Midland.
31. Respondent's actions listed above show her improperly withholding, misappropriating, or converting money or property received in the course of doing insurance business, which is a violation of Section 1239(1)(d) of the Code.
32. By converting the money received in the course of doing insurance business for her own use, the Respondent engaged in fraudulent, coercive, or dishonest practices and demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, which is a violation of Section 1239(1)(h) of the Code.

33. By converting the money received in the course of doing insurance business for her own use and by forging a policyholder's name on a document related to an insurance transaction the drafts, Respondent has violated Section 1239(1)(j) of the Code.

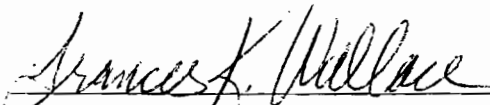
COUNT IV

34. State Farm submitted to OFIS an Excel spreadsheet showing draft numbers, insurance producer's name, draft amount, invoice number, comments, insured's name, and claim number. The total amount of all drafts is \$3314.50.
35. This spreadsheet shows the Respondent issued twelve (12) drafts for [REDACTED] for a total of \$881.00. The State Farm investigation revealed that [REDACTED] is the [REDACTED] of the producer.
36. Respondent's actions listed above show her improperly withholding, misappropriating, or converting money or property received in the course of doing insurance business, which is a violation of Section 1239(1)(d) of the Code.
37. By converting the money received in the course of doing insurance business for her own use, the Respondent engaged in fraudulent, coercive, or dishonest practices and demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, which is a violation of Section 1239(1)(h) of the Code.
38. By converting the money received in the course of doing insurance business for her own use and by forging a policyholder's name on a document related to an insurance transaction the drafts, Respondent has violated Section 1239(1)(j) of the Code.

B. ORDER

Based on the Findings of Fact and Conclusions of Law above and Respondent's stipulation, it is **ORDERED** that:

1. Respondent shall immediately cease and desist from operating in such a manner as to violate the Michigan Insurance Code.
2. Respondent's insurance producer license and authority is **REVOKED**.



Frances K. Wallace

Chief Deputy Commissioner

Dated: 1/26/08_____